

## **REMARKS**

In response to the above noted Office Action, and in view of an interview with the Examiner held January 27, 2009, for which Applicants thank the Examiner, although no agreement was reached, possible claim amendments were discussed, which amendments the Examiner indicated may be sufficient to distinguish over the prior art of record, subject to further consideration, and may be allowable, subject to conducting a further search. The amendments presented herein are believed to conform to the amendments discussed during the interview and which the Examiner indicated may be sufficient to distinguish over the prior art of record.

The following is a summary of the amendments made to the claims.

Claims 196-197, 235, 273-288 are canceled.

### **Claim 179 and its dependent claims**

Claim 179 has been amended to improve its clarity and make it a little narrower in scope.

Claim 179 is directed to an editor that creates an XML source document using document assembly instructions by associating an “initial” XML document with those instructions. In other words, it is about setting up and defining the rules for a “smart” XML template that will be used in a document assembly system.

Claim 179 is similar to previously canceled claims 90 and 94, except it is more explicit that an editor does the things described. Claim 179 is now narrower than previously canceled claims 90 and 94, as it now requires an editor that (i) starts with an “initial” XML document which validates against a predetermined DTD that does NOT include document assembly instructions, (ii) associates document assembly instructions with that initial XML document, and associates at least one of those document assembly instructions with a selected location or locations within that document, (iii) after which the document (now called an XML source document) still validates against the same DTD as the initial XML document.

None of this is disclosed or even suggested in the prior art of record, namely Coulthard, Holloway, Rajaram, Krishnaprasad, Balmin and Kimura.

Dependent claims 184-187, 190-195, 198-199, 203-206 have been amended to correct improper antecedent references, correct incorrect claim dependencies and to otherwise provide further clarity.

Also, a clerical error resulted in two claims being numbered 196 and another two claims being numbered 197. To correct this error, claims 196 and 197 have been canceled and the canceled four claims 196, 197, 196, 197 have been added as "new" claims 289-292.

### **Claim 207, Claim 243 and their dependent claims**

Claim 207 is an apparatus claim directed to a server for use over a communications network. The server includes a parser and an assembly component. The parser is configured to parse at least one XML source document to determine document assembly instructions associated with corresponding locations within the at least one XML source document. The assembly component is configured to generate at least one instance document from the at least one XML source document by processing the document assembly instructions to determine content at corresponding locations of the at least one instance document, wherein the at least one XML source document is valid with respect to a predetermined DTD or schema that does not include the document assembly instructions. Again, these limitations are not taught or suggested in the prior art of record.

Dependent claims 208-209, 213-218, 220-221, 227-228, 230-234, 236-240 have been amended to correct improper antecedent references, correct incorrect claim dependencies and to otherwise provide further clarity.

Claim 243 is a Beauregard claim which does parsing and generating analogous to Claim 207.

Dependent Claims 248-251, 256-260, 263, 266 and 269-271 have been amended to correct improper antecedent references, correct incorrect claim dependencies and to otherwise provide further clarity.

### **NEW DEPENDENT CLAIMS**

New dependent Claims 293 and 294 add a requirement that the instance document validates against the same DTD as the source, etc.

New dependent Claims 295 to 297 add features relating to the validation of XML documents during editing. Support for these amendments can be found throughout the specification; the validation module is described on page 11.

In view of an error in the dependency of claim 213, that claim was canceled and replaced with new dependent claim 298.

Accordingly, Applicant submits that the claims pending following entry of this amendment are now in condition for allowance, which early action is requested.

If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite the prosecution of this Application, the Examiner is invited to contact the undersigned at (310) 207-3800.

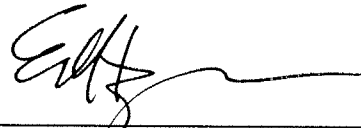
Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date:

3/23/09

By:



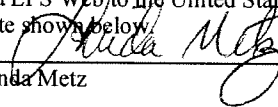
Eric S. Hyman, Reg. No. 30,139

1279 Oakmead Parkway  
Sunnyvale, CA 94085-4040  
Telephone (408) 720-8300  
Facsimile (408) 720-8383

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being submitted electronically via EFS Web to the United States Patent and Trademark Office on the date shown below.

Linda Metz

 3/23/09